



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/588,408	08/03/2006	Fritz Gabriel Baucr	58074/M521	8370
23363 7590 07/11/2007 CHRISTIE, PARKER & HALE, LLP PO BOX 7068 PASADENA, CA 91109-7068			EXAMINER FULLER, RODNEY EVAN	
			ART UNIT 2862	PAPER NUMBER
			MAIL DATE 07/11/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

TH

Office Action Summary	Application No.	Applicant(s)	
	10/588,408	BAUER ET AL.	
	Examiner	Art Unit	
	Rodney E. Fuller	2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-18 and 21-24 is/are rejected.
- 7) ☒ Claim(s) 19, 20 and 25-28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

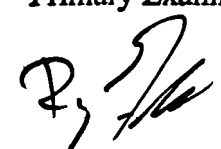
- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Rodney Fuller
 Primary Examiner



Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/3/06, 3/6/07</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because the abstract includes the term "means" in line 6. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 15-18 and 21-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Roth (US 3,871,760).

Regarding claims 15 and 16, Roth discloses "an image window (Fig. 1, ref.# 1, 3) which is arranged in the recording beam path of the movie camera and having a

spacing window (Fig. 1, ref.# 9) which is arranged on a gripper platform (Fig. 1, ref.# 6), between whose mutually facing film planes a film channel or film gap is formed through which the movie film (Fig. 3, ref.# 19) is moved by means of a film transport mechanism (Fig. 1, ref.# 5; column 3, lines 33-34), wherein the gripper platform" and/or "the spacing window is supported on the image window (column 2, lines 44-47)."

Regarding claim 17, Roth discloses "wherein the gripper platform and/or the spacing window are/is supported on at least one contact surface of the image window via a plurality of projections which are in the form of spacers (Fig. 1, ref.# 10; column 2, lines 44-47)."

Regarding claim 18, Roth discloses "wherein the projections are corner points of a geometric figure." (column 3, lines 2-5)

Regarding claim, 21, Roth discloses "wherein the gripper platform (Fig. 1, ref.# 6) and/or the spacing window (Fig. 1, ref.# 9) are/is supported on the at least one contact surface of the image window (Fig. 1, ref.# 1, 3) via in each case one projection (Fig. 1, ref.# 10), which is preferably in the form of a web or is flat." (Figure 1 shows the gripper platform, the spacing window, the image window and the projection as being flat."

Regarding claim 22, Roth discloses "wherein the gripper platform (Fig. 1, ref.# 6) and/or the spacing window (Fig. 1, ref.# 9) are/is supported on the at least one contact surface of the image window (Fig. 1, ref.# 1, 3) via in each case at least two projections (Fig. 2, ref.# 10), which are arranged on each side of the gripper platform and/or of the spacing window (Fig. 2, ref.# 10 – shows projections on either side of spacing window 9)."

Regarding claim 23, Roth discloses "wherein the projections (Fig. 1, ref.# 10) are supported on the film plane of the image window (Fig. 1, ref.# 1, 3)."

Regarding claim 24, Roth discloses "wherein the spacing window (Fig. 1, ref.# 9) is sprung (Fig. 1, ref.# 7) with respect to the gripper platform (Fig. 1, ref.# 6) which holds the spacing window."

Allowable Subject Matter

5. Claims 19, 20 and 25-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Beauviala (US 4,744,651) discloses "a film guide for a movie camera having an image window which is arranged in the recording beam path of the movie camera and having a spacing window which is arranged on a gripper platform, between whose mutually facing film planes a film channel or film gap is formed through which the movie film is moved by a means of film transport mechanism."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney E. Fuller whose telephone number is 571-272-2118. The examiner can normally be reached on 8:00am - 4:30pm.

Art Unit: 2851

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diane Lee can be reached on 571-272-2399. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Rodney E Fuller
Primary Examiner
Art Unit 2851

June 25, 2007

A handwritten signature in black ink, appearing to be 'R. Fuller', written over a horizontal line.